

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Commercial Taxes Department - Issue of Registration Certificate under Section 5-B of the Andhra Pradesh General Sales Tax ACT 1957 to M/s Sai Book Binding & Mfg., Kamareddy violating the rules - Disciplinary proceedings initiated against Sri N. Joji, Deputy Commercial Tax Officer (Retd.) - Charges framed - Enquiry conducted - Penalty of 5 % cut in pension for a period of one year under rule 9 of the A.P. Revised Pension Rules, 1980 - Imposed - Orders - Issued.

REVENUE (VIGILANCE- I) DEPARTMENT

G.O.Rt.No. 1413.

Dated:29 -11-2011.

Read the following:-

1. Dy. Commr. CT, Hyderabad (Rural) Division, Proceedings No. E1/104/2005-1, dt.28.04.2005.
- 2) Sri N. Joji, formerly ACTO, Kamareddy now DCTO (Retd.) explanation dt.16.09.2005.
- 3) CCT's Proc. Ref.No.VII/859/2007-1&2, dt.01.04.2008.
- 4) Enquiry Officer's Report Ref.No.E2/921/04, dt.25.02.2009.
- 5) From the C.C.T. Letter No. V2/859/2007-1, Dated 11.11.2009.
- 6) Govt. Memo No. 51435/Vig. I(1)2009-3, Rev. (Vig. I) Dept., Dt: 22.12.2010.
- 7) From Sri N. Joji, DCTO (Retd.) representation dated Nil, received on 10.1.2011.
- 8) From the Commissioner of Commercial Taxes, A.P, Hyderabad, Letter No. V2/859/2007, Dt: 17.8.2011.
- 9) Govt. Letter No.51435/Vig. I(1)/2009-5, Rev.(Vig. I) Department, Dated:28.9.2011.
- 10)From the Secretary, A.P. Public Service Commission, Hyderabad Letter No. 1544/RT.I/3/2011, Dated 31.10.2011.

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ORDER:

In the reference 1st read above, charges were framed against Sri N. Joji, Deputy Commercial Tax Officer alleging that he issued registration Certificate to M/s. Sai Book Binding and Manufacturers, Kamareddy Mandal vide G2 Registration No. NZB/05/1/28/98-99, dt: 27.4.1998 to do business at his level while he was working as Assistant Commercial Tax Officer, Kamareddy, without following the provisions contained under Rule 30-A of A.P.G.S.T. Rules and directed to submit his written statement of defence. Sri N. Joji, Deputy Commercial Tax Officer (Retd.) submitted his written statement of defence vide reference 2nd read above and after examination of the same, the Commissioner of Commercial Taxes, A.P, Hyderabad appointed the Deputy Commissioner, CT, Nizamabad Division, Nizamabad, as Enquiry Officer to conduct inquiry into the charges framed against the individual, vide reference 3rd read above. After conducting enquiry into the matter, the Enquiry Officer has submitted enquiry report in the reference 4th read above, holding the charge of issue of G-2 registration without jurisdiction with effect from 27.2.1998 has been technically proved against the Charged Officer.

2. In the reference 5th read above, the Commissioner of Commercial Taxes, A.P, Hyderabad has forwarded the record of enquiry to the Government for taking further action against Sri N. Joji, Deputy Commercial Tax Officer, as the Accused Officer retired from service on attaining the age of superannuation on 31.8.2009.

P.T.O.,

3. Government after careful examination of the matter, have provisionally decided to impose a penalty of 5% cut in pension for a period of one year against Sri N. Joji, Deputy Commercial Tax Officer (Retd.) for the charge held proved against him. Accordingly, in the reference 6th read above, a show-cause notice was issued directing the individual to submit his representation on the above provisional decision of the Government for taking further action in the matter.

4. In the reference 7th read above, Sri N. Joji, Deputy Commercial Tax Officer (Retd.) has submitted his representation stating that he was not aware of the amendment to the rules and requested to drop proposed action by condoning the technical mistake which occurred due to ignorance and as there is no loss of revenue.

5. Government, have examined the representation of the individual and considered that his contention that he was ignorant of the amendment to the rules which involved provision relating to his official powers under the A.P.G.S.T. Rules is not acceptable and decided to confirm the provisional decision to impose the proposed penalty against the individual and addressed the A.P. Public Service Commission for their concurrence. In the reference 10th read above, the Secretary, A.P. Public Service Commission has communicated the consent of the Commission to impose the above penalty against the individual.

6. Government after careful examination of the matter ; hereby impose the penalty of 5% cut in pension for a period of one year against Sri N. Joji, Deputy Commercial Tax Officer (Retired) under rule 9 of A.P. Revised Pension Rules, 1980. Copy of the advice of the A.P. Public Service Commission dt: 31.10.2011 as required under rule 23 of APCS (CC&A) Rules, 1991 is herewith furnished to the individual.

7. The Commissioner of Commercial Taxes, A.P, Hyderabad shall take further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT**

To

Sri N. Joji, Deputy Commercial Tax Officer (Retired) (w.e).

through the Commissioner of Commercial Taxes, A.P, Hyderabad.

The Commissioner of Commercial Taxes, A.P, Hyderabad

(with a request to serve the G.O on the individual and send the served copy with dated signature to Government)

Copy to:

The Secretary, A.P. Public Service Commission, Hyderabad.

The Accountant General, AP, Hyderabad.

The Revenue (CT.I) Department.

PS to Prl. Secretary to Government, Revenue Department.

SF/SC.

//Forwarded :: By Order //

SECTION OFFICER.